

AUG/17/2007/FRI 09:35 PM

P. 006

Amendments to the Drawings

There are no amendments to the drawings.

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Remarks/Arguments

The Examiner states that Bean discloses all of the claimed invention except for the material density great than about 2.5 pounds per cubic foot. Therefore, applicant notes this awareness from the Examiner and makes proper amendments in the specification, the line 26 of page 3 was amended deem that the density of 3.0 lbs. per cubic foot is critical to the design and significant. This correct density allows for proper condensing of the material to provide appropriate perturbations, thus allowing the invention to produce a desirable proprioceptive feedback for rehabilitation. The density of the foam is also critical in that it allows for a light weight, easily portable device.

The Examiner objected to the disclosure for informalities relating to inconsistency with reference characters - The paragraph beginning on line 1 of page 8 was amended to correct informalities, and assure that there was consistency with reference characters in reference to "flat narrow surface 18".

The Examiner states that the major diameter of 13.5 inches and the minor diameter of about 6.0 inches and the thickness about 3.0 inches was not deemed critical in the disclosure, merely a preferred embodiment, therefore the applicant respectfully makes the proper amendment in the Summary of the Invention (Disclosure), page 4, lines 7-17, were amended in order to make certain the fact that the dimensions of major diameter of 13.5 inches, minor diameter of 6.0 inches, and thickness of 3.0 inches is critical to the design and significant. Applicant respectfully directs the Examiner to the preferred embodiment of Bean, who claims an overall length of the balance simulator to range from 26-30 inches. Bean also teaches the ideal length to be 28 inches. Applicant therefore respectfully requests that the Examiner notes the novel uniqueness.

Claims 1-2, claims 4-9, claims 11-15 and claim 20 have been canceled.

Claim 3 The Examiner states that claim 3 has not been given patentable weight because the major and minor diameters and thickness was not deemed critical, therefore applicant has been amended claim 3 to demonstrate that the major diameter, minor diameter and thickness are critical to the design and significant.

The Examiner states that a teaching of the significance of the foam density was not disclosed in the claim, rather a preferred embodiment, therefore, applicant acknowledges the Examiners reference and amends Claim 10 to demonstrate that the density of the foam is critical to the design and significant.

The examiner has acknowledged that claims 16-18 would be allowable if rewritten in independent form. Therefore, these claims were rewritten as instructed.

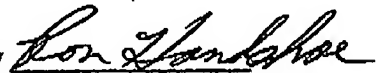
Claim19 has been amended to as following recommendations from claims 16-18.

Claim 21 was added as a new claim.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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